

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 574 of 1996

with

CIVIL REVISION APPLICATION NO.318/96

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

SHANKERLAL GALUJI VACHHETA

Versus

NARSINH MANGILAL VACHHETA

Appearance:

MR BG JANI for Petitioners

MR PJ YAGNIK for Respondent No. 1

MR SURESH M SHAH for Respondent No. 2

CORAM : MR.JUSTICE S.D.SHAH

Date of decision: 18/09/96

ORAL JUDGEMENT

1n. This CRA No.574/96 was ordered to be heard with CRA No.318/96 and they were directed to be placed before this court (S.D.Shah,J) vide order, dated 4.4.96. The matters were partially heard on 6th May, 1996. In fact after hearing the parties through learned Advocate Mr.B.G.Jani and Mr.P.J.Yagnik, the court was about to

pronounce the judgment.

2. However, at that stage it was felt by the court as well as the learned advocates appearing for the parties that the matters were preeminently fit to be settled between the parties by amicable settlement and therefore at their request these two matters were adjourned beyond vacation.

3. At the hearing of these two CRAs today, the learned advocate Mr.B.G.Jani appearing for petitioner in CRA No.574/96 and Mr.P.J.Yagnik learned advocate appearing for Narsinh Mangilal Vachheta have produced before the court the consent terms which are reached between the respective petitioners and respondents in the aforesaid proceedings. Said consent terms are reduced to writing and are signed by the petitioners as well as respondents. Their respective advocates have also signed the consent terms, purshis and they have also identified the signature of respective parties to whom they represent. Consent terms are dated 6.9.96. Said consent terms are produced before the court today in these proceedings and same are taken on record of both the CRAs as they are cognate matters.

4. In the result, judgment and order of the trial court passed in RCS No.710/94 would no longer survive and same is ordered to be substituted by the aforesaid consent terms. Trial court shall abide by the aforesaid consent terms and shall pass accordingly order in RCS No.710/94 which is agreed to be withdrawn from the court of Civil Judge (JD), Ahmedabad (Rural) by Narsinh Mangilal Vachheta. In view of the aforesaid both the CRAs are disposed of and rule in each is discharged and the order of the trial court is substituted by consent terms which are taken on record.

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